

**ROBERT FROMER**

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Co-Chairmen and Members  
Planning and Development Committee  
Room 2100, Legislative Office Building  
Hartford, CT 06106

Re: **H.B. 5538, AAC PROPERTY TAX EXEMPTIONS FOR SOLAR  
INSTALLATIONS**

Dear Co-Chairmen and Committee Members:

My name is Robert Fromer, and I am an Environmental Consultant and Private Attorney General.

Currently, the Connecticut General Statutes, §8-25(b) reads as follows:

The regulations adopted under subsection (a) of this section shall also encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation. The regulations shall require any person submitting a plan for a subdivision to the commission under subsection (a) of this section to **demonstrate** to the commission that such person has **considered**, in developing the plan, using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions. As used in this subsection and section 8-2, passive solar energy techniques mean site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) House orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development.

(Emphasis added.)

There are no criteria required to demonstrate consideration of passive solar techniques; mere conclusionary statements of consideration are sufficient. In the Town of Windsor, the above requirement is ignored except that the Subdivision Regulations require the siting of buildings within  $\pm 15$  degrees of due south, which is satisfied by the sub-divider providing a "solar access plan" depicting the orientation of houses in the subdivision. There are no calculations required in the Subdivision Regulations to prove the energy efficiency of

a subdivision, and there is no site plan review required for enforcement by the building official. As a result, the property owner purchasing a parcel of land for a house can orient the house in any direction within the established building lines. This defeats the purpose of energy efficient subdivisions.

I recommend amending H.B. 5538 as follows:

- A. That chapter 124 the general statutes be amended to require an applicant to a municipal planning commission for a housing subdivision to have the burden of demonstrating that the proposed subdivision is energy efficient, which burden may be demonstrated by means including, but not limited to submission of individual site plans to a building official demonstrating house orientation for maximum solar access and maximum solar access protection.
- B. That section 8-25(b) of the general statutes be amended to require that an applicant to a municipal planning commission for a housing subdivision submit analysis to the commission demonstrating that the passive solar energy site design techniques provide maximum solar heat gain, minimum heat loss and provide thermal storage within a building during the heating season and minimum heat gain during the cooling season.

The purpose of the amendment is to require that housing subdivision applicants demonstrate minimization of energy consumption in subdivision design. The result of such additional provisions would create additional jobs for solar installers, reduce energy waste and create planning uniformity throughout the state because not every town requires site plans confirming solar access orientation in subdivisions.



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Robert Fromer  
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